

Town Board Minutes

October 4, 2004

Meeting No. 34

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 4th day of October 2004 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
TERRENCE McCRACKEN, GENERAL CREW CHIEF

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AMATURA, to deliberate in Executive Session for the announced purpose of discussing a particular personnel matter which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

At 9:42 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Questions/ concerns regarding Pleasant Meadows Subdivision; questioned if the developer could develop the property prematurely.
- Questioned the level of water pressure at a recent fire.

Howell, Gary, 48 Park Blvd, spoke to the Town Board on the following matter:

- Request to see the Preliminary Budget.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Request to see calculations for any recently completed detention or retention basin in the Town. The Town Engineer will provide this to the Town Clerk for distribution to Mr. Symer.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to identify eligible projects which would benefit low to moderate income persons.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Donald Symer	610 Columbia Avenue	Proposes that the grant be used to study feasibility of a new town hall or for sewer laterals for Sewer District No. 2

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:42 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

October 4, 2004

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
September 20, 2004 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated September 21, 2004 has requested the addition of a Resident Probationary Limited Active Member to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the following addition to the membership of the Bowmansville Volunteer Fire Association:

ADDITION - Resident Probationary Limited Active Member:

Kevin Stephan
14 Main Street
Bowmansville, New York 14026

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

File: RFIRE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau by letter dated September 3, 2004 recommends that the Town of Lancaster continue to participate in the collaborative effort by providing 50% of the annual compensation of \$30,456.86 and 50% of the annual cost of health insurance of \$8,625 for the Coordinator for the Family Support Center within the Lancaster Central School District, and

WHEREAS, the Town will provide 50% of the cost of direct salary and 50% of the annual cost of health insurance for providing this service to the community.

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1.That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Program Coordinator for the Family Support Center for the period of September 1, 2004 to June 30, 2005 with the Town paying 50% of the direct cost of the Program Coordinator. The Town of Lancaster will contribute its 50% share of the cost by making installment payments to the Lancaster Central School District as follows: to be paid in four installments of \$4,885.23 on or about October 1, 2004, on or about December 1, 2004, on or about February 1, 2005 and on or about April 1, 2005.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004
file: rprogram coordinator family support center (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town of Lancaster Police Department desires to dispose of
confiscated property for which the Police Department has no use, and

WHEREAS, PropertyBureau.com, Inc., 3551 Camino Mira Costa, San Clemente
California has proposed to provide a disposition service using the internet for this confiscated
property, and

WHEREAS, the Town Police Department believes that it will be less costly to the
Department in terms of the cost of holding an auction and investing Police Department personnel
hours in carrying out the auction by engaging in a contract with PropertyBureau.com Inc. for this
service, and

WHEREAS, the Town Board has reviewed the request by the Police Department
and deems it in the public interest to enter into an agreement for the sale of confiscated property as
proposed by PropertyBureau.com Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is hereby authorized to
enter into an agreement as approved by the Town Attorney for property disposition services with
PropertyBureau.com on behalf of the Town of Lancaster Police Department for property
confiscated by the Town Police Department.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, CGI Communications Inc., 145 Metro Park, Rochester, New York 14623 has offered to create a streaming video website for the Town of Lancaster at no cost to the Town, and

WHEREAS, the contract is proposed for a period of two years with the provider placing local business ads on the website, and

WHEREAS, the Town Board after due review and consideration deems it in the public interest to enter into a contract for this no cost service.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement as approved by the Town Attorney with CGI Communications, Inc. for the creation of a streaming video website at no cost to the Town.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town of Lancaster and the Town of Lancaster Industrial Development Agency (LIDA) have entered into a contract whereby the L.I.D.A. will purchase approximately 29.179 acres from the Town of Lancaster running easterly from the boundary of the Town and Village of Lancaster to Cemetery Road, said area being the former D L & W Railroad right-of-way, and

WHEREAS, the L.I.D.A. will pay the Town a sum of \$70,000 which represents fair consideration based upon an appraisal performed by the Town of Lancaster Assessor’s office;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to prepare the documents to convey title and to provide the renewal of fee title insurance on the premises running to the L.I.D.A., said sale being subject to permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town of Lancaster is in the process of developing a website though the auspices of Erie County, and

WHEREAS, it is necessary to establish a domain name for such official website.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to request that authority over the lancasterny.gov second-level domain name be delegated to the Town of Lancaster, New York at the established registration fee of \$125 with the Town Clerk the Administrative Point of Contact (POC) for such domain name.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., has requested the addition of additional members to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individuals:

<u>ADDITIONS:</u>	
Joshua Smith 37 Glendale Drive Lancaster, New York 14086	Scott Simon 11918 Clinton Street Alden, New York 14004

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning - Section 17 (F) of the Code of the Town of Lancaster, upon the application of **ERIC WEISENBURG**, for a Special Use Permit for a Home Occupation (Dealer of Firearms) on premises located at 29 Biscayne Drive, Lancaster, New York, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard;

NOW, THEREFORE, BE IT

RESOLVED, that the application of **ERIC WEISENBURG** for a Special Use Permit for a Home Occupation (Dealer in Firearms) on premises locally known as 29 Biscayne Drive, Lancaster, New York, be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER AMATURA, TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster has informed the
Town Board that a vacancy exists in the position of Dog Control Officer, Part Time, and

WHEREAS, the Dog Control Officer has recommended the appointment of
Robert Szatkowski, 387 Schwartz Road, Lancaster, New York 14086 to the aforementioned
position of Dog Control Officer, Part Time.

NOW, THEREFORE, BE IT

RESOLVED, that **Robert Szatkowski**, 387 Schwartz Road, Lancaster, New York
14086 be and is hereby appointed to the position of Dog Control Officer, Part Time, with no health
benefits, insurance, sick days, vacation or other benefits, effective immediately, and

BE IT FURTHER

RESOLVED, that the salary for this position is \$12.03 per hour which is 75% of
the full salary of \$16.05, as set forth in the 2004 Schedule of Salaries.

The question of the adoption of the following resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

FILE: RPERS.DCO (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of one (1) new and unused sweeper for use by the Highway Department which was approved by the Highway Committee and by Town Board resolution public bid was invited, and

WHEREAS, one bid was received and opened on September 23, 2004, and

WHEREAS, the Town Board has after due review and consideration deemed it appropriate to re-bid this item to secure a greater number of bids;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rejects the bid received on September 23, 2004 for one (1) new and unused sweeper, and

BE IT FURTHER

RESOLVED,

1. That Bids be received by the Town Clerk on October 18, 2004 at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing one (1) new and unused sweeper, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and

a. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee, post notices thereof as required by Law and further mail notices to all heavy equipment suppliers in Erie County, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

File: rhighwaysweeper804a

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 18th day of October, 2004, for the purpose of providing to the Town of Lancaster one (1) new and unused sweeper, for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER
BY: JOHANNA M. COLEMAN
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
STEMPNIAK, TO WIT:

WHEREAS, Overlook Estates LLC, 6495 Transit Road, Bowmansville, New York 14026, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Valley Overlook Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 589 of Overlook Estates, LLC, 6495 Transit Road, Bowmansville, New York 14026, for the installation of:

P.I.P. No. 589 (Street Lights)	Installation of 8 street lights in Valley Overlook Subdivision as per Town street lighting specifications.
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be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER AMATURA, TO WIT:

WHEREAS, Marrano/Marc Equity, 2730 Transit Road, West Seneca, New York 14224, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Summerfield Farms Subdivision, Phase III, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 590 of Marrano/Marc Equity, 2730 Transit Road, West Seneca, New York 14224, for the installation of:

P.I.P. No. 590 (Street Lights)	Installation of 16 street lights in Summerfield Farms Subdivision, Phase II as per Town street lighting specifications.
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be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to enact a Local Law of the Year 2004, entitled “SURCHARGE ON VEHICLE AND TRAFFIC OFFENSES”, and further designated as Chapter 46, Article XXIV, Section 35 of the Code of the Town of Lancaster, which reads as follows:

Chapter 46

VEHICLE AND TRAFFIC

ARTICLE XXIV, Section 35

SURCHARGE ON VEHICLE AND TRAFFIC OFFENSE

**Proposed
Local Law
Of the Year 2004**

A LOCAL LAW TO IMPOSE A LOCAL SURCHARGE ON CONVICTIONS RENDERED IN THE TOWN JUSTICE COURT PURSUANT TO THE ENABLING AUTHORITY OF SECTION 1809-D OF THE VEHICLE AND TRAFFIC LAW, AS ADDED BY CHAPTER 56 OF THE LAWS OF 2004., AND

- | | |
|--------------------|--|
| §46.35 - 1. | Purpose |
| §46.35 - 2. | Local Surcharge for Traffic Violations |
| §46.35 - 3. | Payment to Clerk of Court; Disposition of Surcharge |
| §46.35 - 4. | Refunds |
| §46.35 -5. | Effective Date |

BE IT ENACTED, by the Town Board of the Town of Lancaster, New York as follows:

§46-35 - 1. Purpose

The purpose of this local law is to impose a local surcharge on convictions rendered in the Town Justice Court pursuant to the enabling authority of Section 1809-D of the Vehicle and Traffic Law, as added by Chapter 56 of the Laws of 2004.

§46-35 - 2. Local Surcharge for Traffic Violations

For convictions rendered in the Town of Lancaster Justice Court for violations committed between the effective date of this local law and September 1, 2005, which convictions are subject to a mandatory surcharge imposed pursuant to 1809 of the Vehicle and Traffic Law, there shall be an additional surcharge of ten dollars (\$10.00) per violation.

§46-35 - 3. Payment to Clerk of Court; Disposition of Surcharge

The surcharge authorized by subdivision one of this section shall be paid to the clerk of the court that rendered the conviction. Within the first ten days of the month next succeeding the collection of such surcharge, the court shall pay the surcharge upon application to the chief fiscal officer of the town which imposed such surcharge.

§46-35 - 4 Refunds

Any person who has paid a surcharge authorized by this section which is ultimately determined not to be required by this section shall be entitled to a refund of such surcharge upon application to the chief fiscal officer of the town which imposed such surcharge. Such chief fiscal officer shall require such proof as is necessary in order to determine whether a refund is required by law.

§46-35 - 5 Effective Date

This Local Law shall take effect immediately.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law of the Year 2004, entitled “Surcharge on Vehicle and Traffic Offense” and further designated as Chapter 46, Article XXIV, Section 35 of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:35 o’clock P.M., Local Time, on the 18th day of October, 2004, and that Notice of the Time and Place of such Hearing shall be published on October 7, 2004, in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of this proposed Local Law for the Year 2004, entitled “Surcharge on Vehicle and Traffic Offense ” available for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted October 4, 2004, the said Town Board will hold a Public Hearing on the 18th day of October, 2004 at 8:35 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon a proposed Local Law of the Year 2004, entitled "Surcharge on Vehicle and Traffic Offense", and further designated as Chapter 46, Article XXIV, Section 35 of the Code of the said Town, briefly described as follows:

**“A LOCAL LAW TO IMPOSE A LOCAL SURCHARGE ON
CONVICTIONS RENDERED IN THE TOWN JUSTICE COURT
PURSUANT TO THE ENABLING AUTHORITY OF SECTION 1809-D OF
THE VEHICLE AND TRAFFIC LAW, AS ADDED BY CHAPTER 56 OF
THE LAWS OF 2004.”**

A complete copy of this proposed Local Law of the Year 2004, entitled "Surcharge on Vehicle and Traffic Offense ", and designated as Chapter 46, Article XXIV, Section 35 of the Code of the Town of Lancaster, is available at the office of the Town Clerk for inspection and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

October 4, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the New York State Liquor Authority requires that an establishment notify the Municipality in which they operate of an application for a liquor license thirty (30) days before it can be considered, and

WHEREAS, BROADWAY ALLSTARS, INC., 6513 Broadway, Lancaster, New York by letter filed on September 8, 2004 with the Town Clerk of the Town of Lancaster, said letter indicating their intent to apply for a liquor license with the New York State Liquor Authority, and

WHEREAS, BROADWAY ALLSTARS, INC., 6513 Broadway, Lancaster, New York has requested that the thirty (30) day statutory notification to the Town of Lancaster of an application for a liquor license to the New York State Liquor Authority be waived, and

WHEREAS, this waiver can only be granted by the Town Board in which the premises is located.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is authorized to notify the State Liquor Authority that such application for this license has been received and approved by the Town Board and that the thirty (30) day notification requirement is waived by this Municipality.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

file :rliquorlicense

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director of Administration and Finance, to wit:

Claim No. 11160 to Claim No. 11373 Inclusive
Total amount hereby authorized to be paid: \$142,805.48

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER STEMPIAK, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are
 hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12_1B. of the Code of the Town Lancaster
 are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

12316 SW	Winklhofer, Eric	160 Schlemmer Rd	Er. Dwlg._Sin.
12321	Composite Tech Decks	27 Village View	Er. Deck
12322	Warren, Eric	34 Rollingwood Dr	Er. Fence
12323	DDM Building Systems	220 Westwood Rd	Er. Pole Barn
12324	Builders Plus	1014 Townline Rd	Er. Res. Add.
12325	Hammerl, Peter	16 Fox Trace	Er. Shed
12326	Duro_Shed Inc	41 Fox Hunt Rd	Er. Shed
12327	Kelly, Steve	3575 Walden Ave	Er. Sign_Wall
12328	Premier Fence Co	58 Markey Ave	Er. Fence
12329	Czine, Joseph	18 Traceway	Er. Fence
12330	Walker, John	18 Taft Ave	Er. Fireplace
12331	Cortese Brothers Inc	5559 Broadway	Er. Res. Add.
(V/L)			
12332	Picket Fence & Ext.	493 Lake Ave	Er. Fence
12333	First Bible Baptist Church	555 Central Ave	Er. Sign
12334	Ulatowski, Donald	18 Ann Marie Dr	Er. Shed
12335	Bengert Enterprises	28 Apple Blossom	Er. Pool_Abv Grnd

12336		Kuzma, David	100 Aurora St	Er. Fence
	(V/L)			
12337	SW	SBA Network Serv.	68 S. Penora St	Er. Com. Tower
12338		Suttell, Raymond	5118 William St	Er. Shed
12339		Lewandowski, David	9 Northbrook Ct	Er. Shed
12340		Youngers, Charles	5059 Transit Rd	Er. Shed
12341		Norsen, Patrick	13 Thomas Dr	Er. Shed
12342		Duro_Shed Inc	12 Heathrow Ct	Er. Shed
12343		M.I.S. of America Inc	4391 Walden Ave	Er. Comm. Add./Alt.
12344		Dexter, Frank	95 Court St	Er. Res. Alt.
	(V/L)			
12345		Superior Decks	77 Simme Rd	Er. Deck
12346		Youngers, Charles	5059 Transit Rd	Er. Shed
12347		Forbes Homes Inc	8 Beatrix Cir	Er. Dwlg._Sin.
12348		Cielsielski, Philip	25 Hillside Pky	Er. Deck
12349		Duro_Shed Inc	11 Buckingham Ct	Er. Shed
12350		Glamour Pools Inc	107 Stony Rd	Er. Pool_In Grnd
12351		Glamour Pools Inc	107 Stony Rd	Er. Fence
12352		Custom Patio Rooms	49 Quail Run Ln	Er. Res. Add.
12353		Procknal, Paul	1 Running Brook Dr	Er. Res. Add.
12354		F & D Construction	17 Sagebrush Ln	Er. Res. Add.
12355		Basin, Bruce	57 Cambria St	Er. Shed
	(V/L)			
12356		Diebold, Michael	256 Enchanted Forest	Er. Res. Add.
12357		Colley's Pool Sales Inc	22 Ann Marie Dr	Er. Pool_In Grnd
12358		Colley's Pool Sales Inc	22 Ann Marie Dr	Er. Fence
12359		Colley's Pool Sales Inc	23 Ann Marie Dr	Er. Pool_In Grnd
12360		Colley's Pool Sales Inc	23 Ann Marie Dr	Er. Fence
12361		Jedlicka, William	37 Stony Brook Dr	Er. Shed
12362		Fleck, Clyde	291 Aurora St	Er. Res. Add.
	(V/L)			

12363	Wilcox Bros Signs	4967 Transit Rd	Er. Sign_Wall
12364	Bengert Enterprises	127 Lake Ave	Er. Pool_Abv Grnd
(V/L)			
12365	Santoro Signs Inc	4401 Walden Ave	Er. Sign_Wall
12366	Creative Fence Co	84 Holland Ave	Er. Fence
(V/L)			
12367	Parco Building Sys..	170 Cemetery Rd	Er. Storage Bldg.
12368	Hecko, Albert	6447 Transit Rd	Er. Comm. Alt.
12369	Filipo, Lucian	137 Broezel Ave	Er. Res. Alt.
12370	Marrano/Marc Equity	39 Ashwood Ct	Er. Dwlg._Sin.
12371	Partell, Jeffery	26E Drullard Ave	Er. Fence
(V/L)			
12372	American Sales Inc	4201 Walden Ave	Er. Sign_Temp
12373	Randaccio Bldrs	4 Beatrix Cir	Er. Dwlg._Sin.
12374	Essex Homes of WNY	1 Stream View Ln	Er. Dwlg._Sin.

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

File: Rbldg2

SUSPENDED RESOLUTIONS:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Ruffino moved to suspend the necessary rules for immediate consideration of the following resolutions, seconded by Council Member Stempniak, which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Hodgson Russ Attorneys LLP has proposed to the Town of Lancaster service as bond counsel to the Town upon a fee chart as attached to the offering letter, and

WHEREAS, the Town Board has reviewed the proposal for services and deems it in the public interest to use these services as the Town Board deems appropriate based upon the fee chart furnished;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute a letter agreement by which the Town of Lancaster agrees to pay Hodgson Russ Attorneys LLP pursuant to its bond counsel fee chart supplied for those matters over which Hodgson Russ Attorneys LLP are employed by the Town as bond counsel.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

File: rhodgsonrusscontract1004

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board, on behalf of all the Special Districts and Special Improvement Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the improvement was charged in proportion to the amount of benefit conferred, and

WHEREAS, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That a Public Hearing is hereby called and shall be held on the 18th day of October 2004, at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget for the Year 2005, and to hear all persons interested in the subject matter thereof, and concerning the same, and

2. That a Legal Notice of said Public Hearing be published in the Lancaster Bee on October 7, 2004, which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than ten (10) nor more than twenty (20) days prior to the public hearing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
UPON THE 2005 SPECIAL DISTRICTS BUDGET**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lancaster, New York, has completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following districts for the year 2005:

Consolidated Water District

Sanitary Sewer District Number 1 _ Glendale and Parkdale

Sanitary Sewer District Number 2

Sanitary Sewer District Extension Numbers 1, 2, 3 and 4 to Sanitary Sewer District Number 2

Sanitary Sewer Lateral Districts Numbers 1 and 2, and Meadow Lea Estates, Lancaster Heights, Markey Avenue, South Broezel, Ronald Drive, Charlton Place and Botimer Place, within Sanitary Sewer District Number 2

Consolidated Lighting District Number 1

Fire Protection District

Refuse and Garbage District

and,

FURTHER NOTICE IS GIVEN, that a Public Hearing on such estimates and Assessment Roll will be held on October 18, 2004, at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

**BY ORDER OF THE: TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN, Town Clerk

October 4, 2004

File: RBUDGETS (P5-6)

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

WHEREAS, Robert H. Giza, Budget Officer of the Town of Lancaster, on September 30, 2004, duly filed the Tentative Budget of said Town for the fiscal year beginning January 1, 2005, with the Town Clerk of said town.

NOW, THEREFORE, BE IT

RESOLVED, that the said Tentative Budget is hereby approved and shall become the Preliminary Budget of the Town of Lancaster for the fiscal year beginning January 1, 2005, and

BE IT FURTHER

RESOLVED, that said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Lancaster and be made available by her to the public for inspection during the regular business hours of the Town Clerk's Office, and

BE IT FURTHER

RESOLVED, that a Public Hearing on the Preliminary Budget of the Town of Lancaster for the year 2005, be held by this Town Board at the Town Hall, 21 Central Avenue, Lancaster, New York on the 18th day of October 2004, at 8:45 o'clock P.M., Local Time, and

BE IT FURTHER

RESOLVED, that a Legal Notice of said Public Hearing upon the 2005 Preliminary Budget, as required by Section 108 of the Town Law of the State of New York, be published in the Lancaster Bee, on October 7, 2004 which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than five (5) days prior to the public hearing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 2004

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
ON THE 2005 PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the Preliminary Budget of the Town of Lancaster, for the fiscal year beginning January 1, 2005, has been filed in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS GIVEN, that the Town Board of the Town of Lancaster will meet and review said Preliminary Budget and hold a Public Hearing thereon at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:45 o'clock P.M., Local Time, on the 18th day of October 2004, and at such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed annual salaries of the following Town Officers are specified as follows:

Supervisor _ as Supervisor	\$63,111	_
as Budget Officer	\$6,885	
Council Member	\$16,408	
Council Member	\$16,408	
Council Member	\$16,408	
Council Member	\$16,408	
Town Justice	\$35,508	
Town Justice	\$35,508	
Town Clerk _ as Town Clerk	\$60,313	
_ as Records Management Officer	\$5,540	
- as Registrar of Vital Statistics	\$900	
- as Clerk to Zoning Board of Appeals	\$2,876	
Superintendent of Highways	\$59,163	

**BY ORDER OF THE TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN, Town Clerk

October 4, 2004

COMMUNICATIONS & REPORTS:

828. NYS DOT to Town Attorney -
Acknowledgment of receipt of SDEIS for proposed Pleasant Meadows
Subdivision and notification that their report will be complete within two weeks.
DISPOSITION = Planning Committee
829. Lloyd Christian to Town Board -
Comments and concerns regarding proposed Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
830. Mary Beth Gianni to Town Board -
Comments and concerns regarding proposed Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
831. Town of Cheektowaga to Town Board -
Solicitation for Lead Agency Status regarding proposed Dental Office, 4982
Transit Road. DISPOSITION = Received & Filed
832. Bowmansville Volunteer Fire Association to Town Board -
Request for change in roster. DISPOSITION = Resolution 10/4/04
833. Executive Director, Youth Bureau to Supervisor -
Request resolution to participate in providing Program Coordinator for Family
Support Center from Sept.1, 2004 - June 30, 2005. DISPOSITION = Resolution
10/4/04
834. Town of Hamburg to Supervisor -
Transmittal of resolution supporting the agriculture industry and requesting
passage of legislation by the governor to create a community preservation fund.
DISPOSITION = Received & Filed
835. Lancaster Industrial Development Agency to Town Board -
Notification of Public Hearing to be held Thursday, October 21, 2004 at 4:00 PM
to consider assistance for Try-It Distributing Co. Inc. project. DISPOSITION =
Received & Filed
836. NYS Senator Dale M. Volker to Supervisor -
Transmittal of press release indicating Senate Majority's initiative to repeal traffic
fine legislation. DISPOSITION = Received & Filed
837. NYS Senator Dale M. Volker to NYS DOT, Regional Traffic Engineer -
Transmittal of letter regarding traffic delays at the intersection of Walden Avenue
and Central Avenue. DISPOSITION = Received & Filed

838. NYS Senator Dale M. Volker to Town Clerk -
Transmittal of N.Y. State Senate proposed legislation regarding disposition of vehicle and traffic court fines. DISPOSITION = Received & Filed
839. Highway Superintendent to Town Board -
Request for resolution to purchase street sweeper from Cyncon Equipment.
DISPOSITION = Received & Filed
840. Highway Superintendent to Planning Board Chairman -
Notice of approval from Town Highway Department regarding site plan for Joe Basil Chevrolet, 5111 Transit Road. DISPOSITION = Planning Committee
841. NYS DEC to Town Attorney -
Notification of Lead Agency Designation regarding proposed rezone and construction of apartment buildings, 5692 Broadway; comments and concerns noted. DISPOSITION = Planning Committee
842. Mrs. A. L. DelPrince to Town Board -
Comments and concerns regarding proposed Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
843. Maria Vecchio to Town Board -
Comments and concerns regarding proposed Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
844. Village of Lancaster to Town Board -
Minutes of official minutes of meeting held September 13, 2004. DISPOSITION = Received & Filed
845. President, Rose Garden Restaurant to Town Clerk -
Advisement of application for renewal of liquor license. DISPOSITION = Town Attorney
846. Town Line Volunteer Fire Department to Town Clerk -
Request for change in roster. DISPOSITION = Resolution 10/4/04
847. Executive Director, Youth Bureau to Supervisor -
Request by Lancaster Central School District for 50% contribution toward health insurance benefits for Anne Monin, Program Coordinator. DISPOSITION = Supervisor
848. Erie County Dept. of Environment & Planning to Town Attorney -
Notification of Lead Agency Designation regarding proposed rezone and construction of apartment buildings, 5692 Broadway; comments and concerns noted. DISPOSITION = Planning Committee

849. Office of State Comptroller to Town Clerk -
Notice of teleconference regarding Procurement Process to be held October 4, 2004. DISPOSITION = Received & Filed
850. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Notice of approval from Town Forestry Department regarding site plan for Joe Basil Chevrolet, 5111 Transit Road. DISPOSITION = Planning Committee
851. Town Clerk to Town Board -
Special Use Permit application of James Dispenza for property at 73 Cemetery Road. DISPOSITION = Town Attorney
852. Supervisor to Erie County Commissioner of Public Works -
Request that the County evaluate the addition of left-hand turn arrows at Central Avenue and Pleasant View Drive. DISPOSITION = Received & Filed
853. NYS Assembly Majority Leader Paul A. Tokasz to Supervisor -
Letter regarding proposed legislation for disposition of vehicle and traffic court fines. DISPOSITION = Received & Filed
854. Greater Buffalo-Niagara Regional Transportation Council to Town Board -
Notice of meeting to be held Wednesday, October 13, 2004, 9:30 AM at NYS Thruway Authority, Cheektowaga. DISPOSITION = Received & Filed
855. NYS Office For Technology to Supervisor -
Transmittal Draft Generic Environmental Impact Statement for the Statewide Wireless Network. DISPOSITION = Received & Filed
856. NYS DOT to NYS Senator Dale M. Volker -
Letter advising of signal timing changes at intersection of Walden Avenue and Central Avenue. DISPOSITION = Received & Filed
857. Erie County Executive to Supervisor -
Letter regarding possible consolidation of Town Sewer District Nos.1 & 2 with County sewer district. DISPOSITION = Town Attorney & Supervisor

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER AMATURA, SECONDED BY
COUNCIL MEMBER MONTOUR AND CARRIED,** the meeting was adjourned at
9:42 P.M.

Signed _____
Johanna M. Coleman, Town Clerk